

**FILED**

UNITED STATES DISTRICT COURT  
ALBUQUERQUE, NEW MEXICO

IN THE UNITED STATES DISTRICT COURT

MAR 26 2024

FOR THE DISTRICT OF NEW MEXICO

MITCHELL R. ELFERS  
CLERK

UNITED STATES OF AMERICA,

Plaintiff,

vs.

**ROBERT ABEYTA,**

Defendant.

CRIMINAL NO. 24-369 DHU

Count 1: 18 U.S.C. §§ 1153, 113(a)(6):

Assault Resulting in Serious Bodily

Injury;

Count 2: 18 U.S.C. §§ 1153, 113(a)(3):

Assault with a Dangerous Weapon;

Count 3: 18 U.S.C. § 924(c)(1)(A)(iii):

Using and Carrying a Firearm During and  
in Relation to a Crime of Violence;

Discharging Said Firearm.

INDICTMENT

The Grand Jury charges:

Count 1

On or about June 28, 2023, in Indian Country, in Rio Arriba County, in the District of New Mexico, the defendant, **ROBERT ABEYTA**, an Indian, assaulted John Doe, and the assault resulted in serious bodily injury.

In violation of 18 U.S.C. §§ 1153 and 113(a)(6).

Count 2

On or about June 28, 2023, in Indian Country, in Rio Arriba County, in the District of New Mexico, the defendant, **ROBERT ABEYTA**, an Indian, assaulted John Doe with a dangerous weapon, specifically, a firearm, with intent to do bodily harm.

In violation of 18 U.S.C. §§ 1153 and 113(a)(3).

Count 3

On or about June 28, 2023, in Rio Arriba County, in the District of New Mexico, the defendant, **ROBERT ABEYTA**, knowingly used and carried a firearm, during and in relation to a crime of violence for which the defendant may be prosecuted in a court of the United States, specifically, Assault with a Dangerous Weapon as charged in Count 2 of this indictment, and the firearm was discharged.

In violation of 18 U.S.C. § 924(c)(1)(A)(iii).

A TRUE BILL:

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FOREPERSON OF THE GRAND JURY

  
Assistant United States Attorney